

**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 10/725,419	Applicant(s) EGAWA ET AL.
Examiner MARCUS T. RILEY	Art Unit 2625

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 May 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☒ Other: See Attached Interview Summary.

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625

/MARCUS T RILEY/
Examiner, Art Unit 2625

Continuation of 11: See Previous Advisory Action dated 06/08/2010 for Examiner's Response to independent claims 1, 15, 29 & 36.

Applicants argues that that the applied references fails to disclose or render obvious an image forming device including wherein the controller enables editing of the printing data if the printing data satisfies a predetermined condition, as recited by claim 9, and similarly by claims 10, 23, 24, and 34. Applicants further argues that the applied references fails to disclose or render obvious an image forming device including wherein the controller enables editing of the printing data when an information processor which has transmitted the printing data is identical to an information processor which requests the editing of the printing data, as recited by claim 11, and similarly by claims 12, 25, 26, and 35. Moreover, Applicant argues that the applied references fails to disclose or render obvious an image forming device including wherein the controller enables editing of the printing data when the user information added to the printing data is identical to user information input by a user who requests editing, as recited by claim 13, and similarly by claims 14, 27, and 28.

Examiner understands Applicant's arguments but respectfully disagree. Kurozasa '546 either alone or in combination with Nakajima '620 discloses, teaches or suggest Applicant's claimed invention. Nakajima '620, Fig. 9, Steps S101-S111 and column 6, line 56 thru column 7, line 3, discloses wherein the controller enables editing of the printing data if the printing data satisfies a predetermined condition. For example, at Step 105, the edit instruction is input. If the predetermined conditioned is satisfied, it is read, converted and displayed at Step 106. If not, the process is reverted back thru Step S105, as illustrated by the "NO" at Step 105. Once read, converted and displayed at Step 106, the data is edited at Step 107. Nakajima '620 also discloses wherein the controller enables editing of the printing data when an information processor which has transmitted the printing data is identical to an information processor which requests the editing of the printing data and wherein the controller enables the editing of the printing data when user information added to the printing data is identical to user information input by a user who requests editing. For example, the data edit controller 15 edits the print data at steps S105 and S107 when the print data is transmitted. Furthermore, the user is allowed to arbitrarily edit added-value information and the like on the basis of an edit instruction data which is input by the user at the display and the data edit controller 15 edits the data which is being displayed. Thus, the applied references do not fail to disclose or render obvious the applicant's invention.

The request for reconsideration has been considered but does NOT place the application in condition for allowance because: Upon further review the Examiner respectfully believes that the cited prior art reads on the claim limitations and maintains the Final Rejection of 03/03/2010.